IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with <u>underlining</u> and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

1. (currently amended) A method for determining the quantity of items in a container, each item having ~~the~~ <u>a</u> same nominal weight ~~located~~ between <u>an</u> upper <u>weight limit</u> and <u>a</u> lower weight ~~limits~~ <u>limit</u>, the method comprising:

a. ~~attempting to transfer~~ <u>defining</u> a predetermined quantity, n, of ~~the~~ items to <u>be transferred in a single transfer cycle into a</u> ~~the~~ container, ~~the predetermined quantity, n,~~ being selected such that ~~the~~ <u>a</u> product of (n+l) and the lower weight limit exceeds ~~the~~ <u>a</u> product of n and the upper weight limit and such that ~~the~~ <u>a</u> product of n and the lower weight limit exceeds ~~the~~ <u>a</u> product of (n-1) and the upper weight limit<u>, and attempting to transfer n items into the container</u>;

b. measuring ~~the~~ weight of ~~the~~ <u>an</u> actual quantity of items transferred to the container in step (a); and,

c. dividing ~~the~~ <u>a</u> value of the weight ascertained in step (b) by the nominal weight to determine the actual quantity of items ~~packed~~ <u>transferred</u> in the container in step (a).

2. (original) A method according to claim 1, wherein steps (a) to (c) are repeated until the sum of the predetermined quantities of step (a) of each repetition equals a specified quantity.

3. (previously presented) A method according to claim 1 or 2, wherein the weight of step (b) is measured using a check weigher.

4. (original) A method according to claim 3, wherein the check weigher is part of a production line.

5. (original) A method according to claim 4, wherein the production lines includes an upstream packaging machine.

6.   (previously presented) A method according to claim 1 or 2, wherein the items are packets of snack foods.

7.   (previously presented) A method according to claim 1 or 2, wherein if the actual quantity determined in step (c) is different from the predetermined quantity of step (a) then the container is conveyed to a reject location.

8.   (original) A method according to claim 7, wherein the reject location is a reject conveyor belt.

9.   (previously presented) A method according to claim 7, wherein if the actual quantity determined in step (c) is less than the predetermined quantity of step (a) then additional items are packed in the container so that it does contain the predetermined quantity of items.

10.   (previously presented) A method according to claim 7, wherein if the actual quantity determined in step (c). is more than the predetermined quantity of step (a) then the surplus items are removed from the container so that it contains the predetermined quantity of items.

11.   (currently amended) Apparatus for determining the quantity of items in a container, each item having the a same nominal weight located between an upper weight limit and a lower weight limits limit, the apparatus comprising:

a.——a transfer system for attempting adapted to attempt to transfer a predetermined quantity, n, of the items to the a container in a single transfer cycle, the predetermined quantity, n, being selected such that the product of (n+1) and the lower weight limit exceeds the product of n and the upper weight limit and such that the product of n and the lower weight limit exceeds the product of (n-1) and the upper weight limit;

b.——a weighing system for measuring the weight of the an actual quantity of items transferred to the container in step (a) by the transfer system; and,

c.——a controller for receiving, from the weighing system, a signal indicating the a value of the measured weight ascertained in step (b) and for dividing this the value by the nominal weight to determine the an actual quantity of items packed transferred in the container in step (a) by the transfer system, wherein

the predetermined quantity, n, is defined such that a product on n+1 and the lower weight

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limit exceeds a product of n and the upper weight limit, and a product of n and the lower weight limit exceeds a product of n-1 and the upper weight limit.

12.   (original) Apparatus according to claim 11, wherein the transfer system is a vacuum head.

13.   (original) Apparatus according to claim 12, wherein the weighing system in incorporated in the vacuum head.

14.   (original) Apparatus according to claim 11 or claim 12, wherein the weighing system is incorporated in a conveyor system that supports the container in use.

15.   (original) Apparatus according to claim 11, wherein the items are supplied to the transfer system by an infeed conveyor system for holding and conveying a group of items in a conveyance-direction, the infeed conveyor system comprising:

a first conveyor, including

a first roller,

a first conveyance member wound around said first roller,

a first items-group holder for conveying the group of items, said first items-group holder having a plurality of partition members that is connected to one another, and

a first detaching/attaching mechanism disposed between said first conveyance member and said first items-group holder for detachably and reattachably coupling said first items-group holder to said first conveyance member.

16.   (original) Apparatus according to claim 15, wherein the transfer system transfers the group of items at the discharge position by pushing in a direction of the width of said first conveyance member.

17.   (new) A method for transferring in a container a predetermined number of items, n, each item having a nominal weight between an upper weight limit, L, and a lower weight limit, l, comprising:

performing until a number of items transferred in the container equals the predetermined number, n,

transferring items in the container;

weighting the transferred items;

calculating a number of the transferred items by dividing weight of the transferred items to the nominal weight; and

withdrawing the transferred items from the container if m is not equal to n, wherein $(n+1)l>nL$ and $nl>(n-1)L$.